

JAN 05 2011

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

GLENN R. FAVRE, et al.,)	
)	
Plaintiffs,)	
)	CIVIL ACTION FILE
v.)	
)	NUMBER 1:10-cv-3757-TCB
GOLDMAN SACHS, HOLDINGS,)	
INC., et al.,)	
)	
Defendants.)	

ORDER

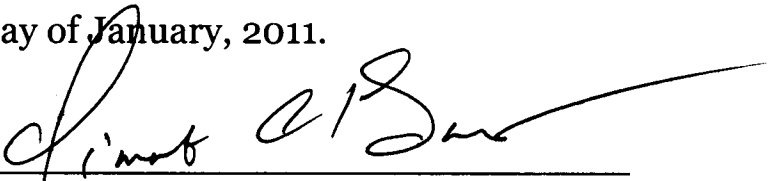
This case is before the Court for a 28 U.S.C. § 1915(e)(2) frivolity determination.

A federal court is required to dismiss an *in forma pauperis* complaint at any time if the court determines that the action is (1) frivolous or malicious, (2) fails to state a claim on which relief may be granted, or (3) seeks monetary relief against a defendant who is immune from such relief. 28 U.S.C. § 1915(e)(2)(B). A claim is frivolous “where it lacks an arguable basis either in law or fact.” *Neitzke v. Williams*, 490 U.S. 319, 325 (1989). A complaint may be dismissed for failure to state a claim if it does not plead

“enough facts to state a claim to relief that is plausible on its face.” *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 547 (2007).

After reviewing Plaintiff's filings with the Court, it is clear that Plaintiff's complaint is frivolous and otherwise fails to state a claim upon which relief can be granted. Plaintiff complains generally about the alleged violations of the bankruptcy code and false claims and documents filed by recipients of the TARP FUND. Confusingly, Plaintiffs also include on the cover of the complaint the name of another judge and they also labeled their complaint as a motion for injunctive relief, summary judgment and default judgment. Furthermore, Plaintiff has not identified the basis of this Court's jurisdiction, nor has he identified a claim against any defendant upon which relief can be granted or that would be cognizable in this Court. Accordingly, the Court dismisses this action pursuant to 28 U.S.C. § 1915(e)(2). Plaintiffs' motion for default judgment [13] is DENIED AS MOOT.

IT IS SO ORDERED this 4th day of January, 2011.



Timothy C. Batten, Sr.
United States District Judge